

REMARKS

Claims 1-47 and 49-70 are pending in the application and claim 48 is cancelled. Claims 1-44 and 54-62 have been withdrawn. Claims 45-47, 49-53 and 63-70 have been allowed. Claim 50 has been amended to make it independent. Thus, in the amended claims presented above, claim 45 is independent, claims 46-47, 49 and 63-70 depend from claim 45, claim 50 is independent, and claims 51-53 depend from claim 50.

Applicant is submitting this Amendment Under 37 C.F.R. § 1.312 on March 23, 2010 in response to a telephone conversation with the Examiner wherein the Examiner indicated that he would consider the Amendment by or on March 24, 2010.

The Director is hereby authorized to charge any additional amount required, including any excess claims fees or time extension fees, due to submission of this Amendment to Deposit Account No. 19-4409.

Applicant has amended claim 50 to make it independent. Claim 50, as amended, includes the limitations of independent claim 45 except that claim 50 includes a different spreading step. The spreading step of claim 50 specifies that the spreading step is performed by providing the stack on a first upper support surface and then permitting the stack to expand downwardly to a second lower support surface.

It is believed that this subject matter is allowable for the reasons previously stated in an Office Action dated August 14, 2009 because the Kaye reference teaches that in its preferred use the sheets of the stack are not separated apart but are instead contained within a dispenser. Further, in the Kaye reference, the sheets of the stack are not shown separated by placing the stack on a first upper support surface and permitting the stack to expand downwardly to a second lower support surface.

In view of the foregoing amendment and remarks, it is respectfully submitted that the claims are now in condition for allowance and eventual issuance. Such action is respectfully requested. Should the Examiner have any further questions or comments that need be addressed in order to obtain allowance, he is invited to contact the undersigned attorney at the number listed below.

Acknowledgement of receipt is respectfully requested.

Respectfully submitted,

By: 

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